

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ANTHONY MICHAEL FLINT,

Plaintiff,

Case No. 2:21-cv-35

v.

Hon. Hala Y. Jarbou

DAWN EICHER, et al.,

Defendants.

ORDER

In accordance with the opinion entered this date:

IT IS ORDERED that the R&R (ECF No. 59) is **ADOPTED IN PART** and **REJECTED IN PART**. The R&R is adopted insofar as it recommends dismissing claims against Corizon, dismissing the § 1983 claims against the MDOC, and dismissing the state law claims; and rejected insofar as it recommends dismissing the ADA claim against the MDOC and the § 1983 claims against Knack and Wellman in their individual capacities.

IT IS FURTHER ORDERED that Plaintiff's objection (ECF No. 60) to the disposition in the R&R is **SUSTAINED IN PART** and **OVERRULED IN PART**.

IT IS FURTHER ORDERED that Defendants Eicher, Damron, Knack, Wellman and the Michigan Department of Corrections' (MDOC) motion for partial summary judgment (ECF No. 22) is **GRANTED IN PART** and **DENIED IN PART**. The motion is granted as to the § 1983 claims against the MDOC and Defendants Eicher, Damron, Knack, and Wellman in their official capacities. The motion is denied as to the remaining claims.

IT IS FURTHER ORDERED that Defendant Corizon's motion for summary judgment and dismissal (ECF No. 37) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's conspiracy claims are **DISMISSED** for failure to state a claim.

IT IS FURTHER ORDERED that Defendant Corizon is **DISMISSED** from the case.

The claims remaining in this case are the § 1983 claims against Defendants Eicher, Damron, Knack and Wellman in their individual capacities and the ADA claim against the MDOC.

Date: January 24, 2022 /s/ Hala Y. Jarbou
HALA Y. JARBOU
UNITED STATES DISTRICT JUDGE